

**A RESOLUTION
BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST THE CITY OF ATLANTA IN THE CASE OF JANIS WILLIAMS V. CITY OF ATLANTA AND GARY KWITKIN, STATE COURT, FULTON COUNTY, CIVIL ACTION FILE NO. 04-VS-061231-A, IN THE AMOUNT OF \$11,000; AUTHORIZING SAID PAYMENT TO BE CHARGED TO AND PAID FROM FUND 1A01 (GENERAL FUND), ACCOUNT 529017 (PROPERTY LIQUIDATION) AND CENTER NUMBER T31001 (NON-DEPARTMENTAL); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

WHEREAS *Janis Williams v. City of Atlanta and Gary Kwitkin* is a case in which the Plaintiff, Janis Williams, is suing for damages she allegedly incurred while involved in an accident with City of Atlanta Police Officer, Gary Kwitkin;

WHEREAS, Plaintiff alleges that she suffered bodily injury and property damage by virtue of this accident;

WHEREAS, Plaintiff filed an *ante litem* claim with the City of Atlanta;

WHEREAS, Plaintiff asserts a claim for negligence; and

WHEREAS, Plaintiff has agreed to accept \$11,000.00 in full settlement of all claims against the City of Atlanta and Gary Kwitkin including attorney's fees; and

WHEREAS, the City Attorney has done extensive review of the facts and the law and has determined that the City's potential financial exposure in defending Plaintiff's claims is in excess of the settlement amount; and

WHEREAS, the City Attorney considers it to be in the best interest of the City to pay the amount of \$11,000.00 to settle all claims against the City of Atlanta.

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA hereby resolves as follows:

SECTION 1. The City Attorney is hereby authorized to settle the case of *Janis Williams v. City of Atlanta and Gary Kwitkin* in the amount of Eleven Thousand and Zero Dollars and No Cents (\$11,000.00) and to execute all documents on behalf of the City of Atlanta.

SECTION 2. Said payment is to be charged to and paid from Fund 1A01 (General Fund), Account 529017 (Property Liquidation) and Center Number T31001 (Non-departmental). Payment shall be in the form of a check in the amount of \$11,000.00, payable to Janis Williams and Scott A.I. Hart, Esq. Such payment shall be in full consideration of the dismissal of all claims against the City of Atlanta, and its current and former officers and employees.